

REMARKS

The Examiner is thanked for the indication that claims 9 and 16 are allowable if rewritten in independent form.

Claims 1-17 are pending in the instant application. Claims 1-8 and 10-15 presently stand rejected. Claims 1 and 10 are amended herein. Claim 17 is newly presented. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 10, and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No.: 6,040,888 to Masami et al. (hereafter “Masami”) in view of U.S. Patent No. 6,124,912 to Moore.

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03.

Amended independent claim 1 now recites, in pertinent parts,

a plurality of **separated pixel elements** formed between the substrates, each pixel element having a first antireflective layer formed over a micromirror layer;

...

liquid crystal material contained in the cell gaps, **the liquid crystal material separating the antireflective layers formed on each of the other pixel elements from each other,**

Applicants respectfully submit that Masami and Moore fail to disclose, teach, or fairly suggest an antireflective layer of separated pixel elements being separated by liquid crystal material.

In fact, Masami discloses light reflecting films 112 (the prior art element that the Examiner cites as corresponding to Applicants’ claimed pixel elements), but the examiner acknowledges that, “Masami et al. does not disclose an anti-reflective layer formed over the aluminum pixel elements.” *Office Action* mailed December 3, 2003, page 2, section 1. However, the Examiner cites Moore as disclosing “applying layers of dielectric material to the reflective surface of the liquid crystal device in order to

increase the reflectivity of the surface and thereby improve the contrast ratio and brightness.” *Office Action* mailed December 3, 2003, pages 2-3, section 1.

However, Moore discloses thin films 230-233 as continuous layers covering multiple metal layers 227, as illustrated in FIG. 2 of Moore. Claim 1 recites a plurality of *separated* pixel elements each having its own antireflective layer. Furthermore, claim 1 has been amended to recite liquid crystal material **separating the antireflective layers formed on each of the other pixel elements** from each other. Referring to FIG. 2, thin film layers 230-233 covering metal layers 227 clearly are not separated by liquid crystal material 211, since thin film layers 230-233 are continuous layers covering multiple metal layers 227. Simply put, the combination of Masami and Moore do not teach or suggest separate pixel elements having individual antireflective layers that are separated from each other with liquid crystal material.

Consequently, Masami and Moore fail to teach or suggest all elements of claim 1, as required under M.P.E.P. § 2143.03. Accordingly, Applicants request that the instant § 103(a) rejection of claim 1 be withdrawn.

Amended independent claim 10 now recites, in pertinent parts,

a plurality of **separated pixel elements** formed between the substrates, each pixel element having a first antireflective layer formed over a micromirror layer;

a plurality of spacers formed on a portion of some of the pixel elements and **covering a portion of the first antireflective layer**...

Applicants submit that Masami and Moore fail to disclose, teach; or fairly suggest spacers covering a portion of an antireflective layer. As acknowledged by the Examiner, Masami fails to teach or suggest any antireflective layer covering light reflective film 112 (see FIG. 1 of Masami). Furthermore, Moore fails to teach or suggest spacers covering thin film layers 230-233, much less a plurality of spacers formed on a portion of some pixel elements and **covering a portion of an antireflective layer** of the some pixel elements.

Consequently, Masami and Moore fail to teach or suggest all elements of claim 10, as required under M.P.E.P. § 2143.03. Accordingly, Applicants request that the instant § 103(a) rejection of claim 10 be withdrawn.

Dependent claims 2-8 and 11-15 are nonobvious over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 103(a) rejections for claims 2-8 and 11-15 be withdrawn.

New Claim

New claim 17 depends from independent claim 10 and adds the claim element added to independent claim 1 herein.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.




CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

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Adrian Villarreal

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Date